

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>UNITED STATES OF AMERICA</b>	}	
	}	
<b>V.</b>	}	<b>Criminal Docket No. 3:10-cr-00250-1</b>
	}	<b>JUDGE TRAUGER</b>
<b>MATTHEW PAUL DEHART</b>	}	

**DEFENDANT’S MOTION TO COMPEL DISCOVERY**

Pursuant to Fed.R.Crim.P. 16, the Defendant, Matthew Paul Dehart, moves the Court to issue an order compelling the Government to produce the following items:

1. Copies of all reports detailing interrogations of the Defendant upon his arrest in Calais, Maine on or about August 6, 2010 through his transfer to the custody of the U.S. Marshal’s Office in the Middle District of Tennessee on or about September 8, 2010. Defendant would show that he was interrogated on at least four occasions by law enforcement agents after his arrest in Maine even after he had invoked his constitutional rights and asked for an attorney. Further, Defendant was administered medications which affected his ability to knowingly and intelligently respond to questioning. It is clear that the Government’s access to the hard drives seized from the Defendant’s Indiana residence was accomplished only after the Government agents received passwords/encryption keys which were only possessed by Defendant. Thus, Defendant has suppression issues which must be raised but can only be presented after he is given access to all of his statements/reports related to said interrogations.

2. Copies of all forensic reports as well as access to all electronic devices (computer hard drives, cell phones etc.) owned or used by the alleged victim in this case, (James T.). Defendant would show that even though there is mention of forensic analysis of the alleged

victim's electronic devices in the original arrest complaint/affidavit, no reports have been produced much less access to these devices by the Defendant's expert. The crux of the Government's case is the alleged "communication" between electronic devices of the alleged victim and those owned/possessed by the Defendant. Clearly, Defendant is entitled to any reports as well as access to these items for his own expert analysis.

3. All items seized from the Defendant after his arrest in Maine for inspection including items seized as a result of his interrogation.

Respectfully submitted,

/s/ Mark C. Scruggs  
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#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing has been e-mailed to Ms. Carrie Daughtrey, Assistant U.S. Attorney, 110 Ninth Avenue South, Suite A-961, Nashville, TN 37203, on this the 14<sup>th</sup> day of March, 2012.

/s/ Mark C. Scruggs  
Mark C. Scruggs